



Washington, D.C. 20505

OLC #11-23671

77-7896

18 JUN 1977

Honorable Daniel K. Inouye  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

Pursuant to our 22 June 1976 letters to Senators Mansfield and Scott, we have submitted to the Senate Select Committee on Intelligence copies of our 22 records control schedules. These schedules have also been submitted to the National Archives and Records Service (NARS), and the Archivist's approval, as required by law, has been received on nine schedules with the approval of the remaining 13 expected during July.

Before any records are actually destroyed in accordance with these schedules, the Select Committee Staff desires to review them after which they will again be reviewed here to establish that they are not related to actual or impending litigation, or to matters under investigation by the Department of Justice or Congress. In addition, records relating to pending Freedom of Information Act or Privacy Act requests to the Agency will be identified at the time of the request and flagged to indicate that they are the object of such an inquiry. These records are subject to additional retention periods established by the Archivist and included in the records control schedules. Accordingly, the records are either duplicated and segregated at the time of the request or, where the records are too voluminous for duplication to be practical, the flag which is applied at the time of the request allows them to be segregated subsequently from records in process for destruction according to the records control schedules.

As I am sure you are aware, the Agency is in a difficult situation in that the new records control schedules represent full compliance with the records disposition requirements of Title 44, U.S.C.; therefore, we cannot dispose of any records until the new schedules are implemented. At the same time, we cannot act on the approved schedules until the Select Committee establishes its review procedures. So far we have accumulated disposable records estimated to total between six and nine thousand cubic feet. The continued maintenance of these inactive records approved for destruction is creating serious space and handling problems throughout the Agency.

With full realization and understanding of the impact this review presents to your organization, I would appreciate any action you could initiate to expedite the Committee's development of procedures for the clearance of the records approved for destruction. Your personal cooperation in this matter will be greatly appreciated.

Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER

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STATINTL

ORIGINATED BY:  C/ISAS (19 May 1977)

Rewritten 24 May 1977  
Rewritten 8 June 1977

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77-9253/2

066-77-5740

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 40, 87TH CONGRESS)

WASHINGTON, D.C. 20510

December 21, 1977

IN REPLY PLEASE  
REFER TO Q#1237


Admiral Stansfield Turner  
Director  
Central Intelligence Agency  
Washington, D. C. 20505

Dear Admiral Turner:

On <sup>June 9,</sup> ~~July 17,~~ 1976 I requested that the moratorium on destruction of intelligence and investigative records originally requested by Senators Mansfield and Scott be extended through December 17<sup>th</sup>, 1976. No further extensions have been formally requested. Therefore, all agencies maintaining records pursuant to the moratorium may return to normal records destruction policies.

I would request that any changes in records maintenance or destruction procedures affecting intelligence or investigations which have been promulgated since the moratorium was instituted as well as any future changes in procedures be brought to the attention of the Senate Select Committee on Intelligence.

Aloha,

  
Daniel K. Inouye  
Chairman

Washington, D. C. 20505

DEC 1976

Honorable Thomas N. Downing, Chairman  
Select Committee on Assassinations  
House of Representatives  
Washington, D. C. 20515

Dear Mr. Chairman:

STATINTL [redacted] of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

SIGNED

George Bush

Enclosure

Distribution:

Orig. - Addressee w/encl.

1 - DCI w/encl.

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1 - ER w/encl. OLC/Chrono wo/encl.

OLC:PLC:dla (typed 7 December 1976)

STATINTL

OLC 78-0232

15 February 1978

MEMORANDUM FOR: Mr. John F. Blake, Deputy Director for  
Administration

STATINTL

FROM : [REDACTED] Acting Legislative Counsel

SUBJECT : Lifting of the Moratorium on the Destruction  
of Agency Documents (U)

1. (U) We discussed with Professor G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, if his Committee would have any objection to the resumption of normal destruction of documents in view of the decision of the Senate Select Committee on Intelligence to lift the moratorium. Attached is a copy of the Director's letter to Chairman Thomas N. Downing not to lift the moratorium without the Committee's approval.

2. (U) Mr. Blakey requested that since the Committee's review of Agency documents is in high gear, he did not want to discuss the lifting of the moratorium for at least six weeks when he feels most of the review will be completed. I am pleased to note that the Committee staff was most appreciative of the assistance provided by [REDACTED] explaining Agency documents and filing systems which greatly facilitated the Committee's review.

STATINTL

3. (U) It is requested that the moratorium remain in effect. We will, together with [REDACTED] contact the Committee in six weeks and at that time seek clearance for the lifting of the moratorium to resume normal destruction.

STATINTL

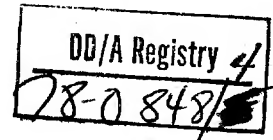
STATINTL

Attachment

cc: STATINTL  
[REDACTED]



JUN 5 1978



Admiral Stansfield Turner  
Director  
Central Intelligence Agency  
Washington, DC 20505

Dear Admiral Turner:

As you are aware, the Honorable Louis Stokes, Chairman at the House Select Committee on Assassinations, has requested that a temporary moratorium, extending through December 31, 1978, be imposed on the destruction of all records and documents in the custody of the Central Intelligence Agency (CIA), including those eligible for disposal under approved records disposition schedules. A copy of his letter is enclosed.

In accordance with 44 USC 2909, and 41 CFR 101-11.406-7(b), the Central Intelligence Agency is authorized to retain all disposable records and documents in its custody through December 31, 1978. This action is authorized because of the potential value of CIA records to the Select Committee's investigation into the circumstances surrounding the deaths of President John F. Kennedy and Dr. Martin Luther King, Jr. The National Archives and Records Service has no objection to CIA applying its approved disposition schedules to its records after that date.

Your cooperation in this important matter is appreciated.

Sincerely,

JAMES B. RHOADS  
Archivist of the United States

Enclosure

cc: Honorable Louis Stokes

LOUIS STOKES, OHIO, CHAIRMAN

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78-654/6

Select Committee on Assassinations

U.S. House of Representatives  
3331 HOUSE OFFICE BUILDING, ANNEX 2  
WASHINGTON, D.C. 20515

DD/A Registry  
78-0212/4  
0848/3

(202) 225-4624

May 17, 1978

The Honorable James B. Rhoads  
Archivist of the United States  
National Archives and Records Service  
Washington, D. C. 20408

Dear Mr. Rhoads:

In connection with the Select Committee's investigation into the circumstances surrounding the deaths of President John F. Kennedy and Dr. Martin Luther King, Jr., I am writing with respect to the moratorium on the destruction of documents originally imposed on all Federal agencies by the Church Committee on January 27, 1975, and which was subsequently lifted by Chairman Inouye of the Senate Select Committee on Intelligence on December 21, 1977.

The Select Committee is aware of the tremendous burden placed on the agencies and, in particular, the National Archives and Records Service by this moratorium. Nevertheless, it is my understanding that it was voluntarily accepted and adhered to by everyone concerned.

Although this moratorium was not originally imposed by the Select Committee on Assassinations, we have requested that it be continued through December 31, 1978, with respect to all records and documents of the Central Intelligence Agency. Other arrangements have been worked out with the other agencies. After December 31, 1978, this Committee will have no objection to the Agency returning to the normal disposition of its records. In this connection, we also request that you suspend approval of existing schedules until December 31, 1978.

The Members of this Committee are cognizant that the CIA has made an effort to respond to the numerous requests from the Committee staff for access to documents that might have any bearing on our investigation, and we regret any adverse effect this request will have on the National Archives or the Agency.




The Honorable James B. Rhoads  
May 17, 1978  
Page 2

Nevertheless, we feel that the risk, no matter how small, that a document relevant to our investigation might inadvertently be destroyed, cannot be justified in order to avoid an additional burden on the Agency or the Archives. Every file that this Committee requests access to has the potential of being pertinent in the final outcome of our investigation, and it is impossible, at any one point, to determine specifically which files we will need to see before the completion of our work. I think you will agree with me that it is extremely important that this Committee's investigation into the conduct of the intelligence community be conducted with both the appearance and the reality of thoroughness, fairness and objectivity, and that there not be either an appearance or the reality of the destruction of documents that might ultimately have some bearing on the outcome of the investigation.

The Select Committee is most appreciative of your cooperation in providing access to materials in the Archives, and your special efforts to preserve evidence that was deteriorating due to public access by withholding such evidence until such time as our staff has an opportunity to properly review it. We would be, therefore, most grateful for your assistance with this additional request.

Sincerely,

  
LOUIS STOKES  
Chairman

LS:dm

cc: Admiral Stansfield Turner  
Director of Central Intelligence

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